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Refugee Reports

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1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507

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END OF YEAR "BULGE" PREDICTED ON REFUGEE ADMISSIONS

Month by month, the admission of refugees to the United States is following a feast or famine pattern for FY 88, with thin processing for all regions outside of Eastern Europe/USSR during the first half of the year, and an anticipated glut of refugee processing during the final quarter.

U.S. Refugee Coordinator Jonathan Moore told a Senate committee on June 10 that he projected that the United States would admit 79-80,000 refugees out of the revised FY 88 worldwide ceiling of 83,500. Moore said that the projection was speculative. If it materializes as predicted, the FY 88 ceilings will be met or neared in most regions. This would require, however, a shifting of gears to speed up refugee processing for the remainder of the summer to compensate for the below-average level of refugee processing for all regions except the USSR/Eastern Europe during the first half of the fiscal year. The result will be higher--sometimes dramatically higher--numbers of refugees being admitted in the last quarter of the fiscal year, particularly in the final days of September.

As of March 31, the end of the first half of FY 88, less than one quarter of the refugees authorized per regional ceiling had been admitted--on average--to the United States from all regions other than the USSR/Eastern Europe. The following table shows the percentage of refugees admitted in the first six months out of the yearly ceiling for each region (prior to 15,000 additional numbers being added to the USSR/Eastern Europe ceiling):

Latin America/Caribbean	4.2
Africa	21.2
Southeast Asia/ODP	25.4
Southeast Asia/first asylum	26.7
Near East/South Asia	39.9
USSR/Eastern Europe	73.5

End-of-Year Bulges Could Become a Chronic Problem

The pattern is a familiar one. For the past two years, refugee admissions in the first quarter have been slow and by the fourth quarter large numbers

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Uneven admissions of refugees to the United States from overseas for the past two years have resulted in large numbers of refugees entering at the end of the fiscal year. The reasons for this pattern, and its consequences, are examined.....1

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have needed to be processed in a "catch up" game to meet the year's ceiling.

"It is systemic," said the Rev. Dr. Donald Larsen, executive director of the Lutheran Immigration and Refugee Service (LIRS) and chairman of InterAction's Committee on Migration and Refugee Affairs. "But all systems are the creation of their makers," he said.

Larsen attributes much of the problem to zero-based budgeting, so that planners do not know how much money they have to work with at the beginning of each fiscal year. "This year," he said, "it became quite obvious to me that decisions on whether to put people into the pipeline were delayed to see whether dollars were available to accommodate the flow."

Larsen said, "When we begin new efforts to arrive at agreements on admissions numbers, we need to reconnect the dollars to the numbers. We need to make planning real, not spurious or mythical. All of us need to be aware of the reality of planning what you pay for."

Processing Problem in FY 88 Especially Acute As much as the current problems fit a pattern, the situation seems to have grown noticeably worse this year.

"This has been one of the most difficult years I've ever seen," said Barbara Williams, refugee resettlement administrator for Church World Service. "Refugees approved by the INS [Immigration and Naturalization Service] and ready to depart are not being processed by the State Department because of money."

A government source said, "All along they were hoping for a release of money, but nobody in the Administration or Congress was willing to blink because of the budget summit agreement."

The source explained a situation of having authority to move 83,500 refugees with a budget for 68,500. "With no green light to dredge up additional money," the source said, "the State Department had to plan for worst-case scenarios."

"If they had just let the wheels roll," the source said, "bringing in refugees without limitation, they would have run out of money and had to shut down the program in mid-July."

State Department planners, the source said, felt "absolutely compelled" to respond to certain critical situations, such as the loosening of Armenian and Jewish emigration from the Soviet Union, the release of Cuban political prisoners, and the deteriorating first-asylum picture in Southeast Asia.

Refugee advocates had been particularly critical of underutilization of all regional ceilings other than that of the Eastern Europe/Soviet Union region in the first quarter. At a Congressional hearing in February, Roger Winter, director of the U.S. Committee for Refugees, said, "We believe the U.S. resettlement process has been deliberately managed so as to significantly fall short of FY 88 ceilings for Southeast Asia." (See Refugee Reports, Vol. IX, No. 2.)

Prior to the last month's Presidential determination for an increased 15,000 places to accommodate the flow out of the Soviet Union/Eastern Europe, some critics had charged that shortfalls in the other regions were a result of efforts to redirect funds for processing of increased numbers of Soviet Armenians, in particular.

A State Department source acknowledged that the Armenian flow was "costly" due to the numbers of people coming in, and that efforts to hold down those numbers have not been successful.

The source insisted that "there have been no shavings of regional budget calculations to bring in Armenians." The source said that those cost-saving measures that have been taken have included reducing the time of processing in Rome and, after June 1, reducing the Reception and Placement grants to the voluntary agencies resettling Armenians to $300 per person.

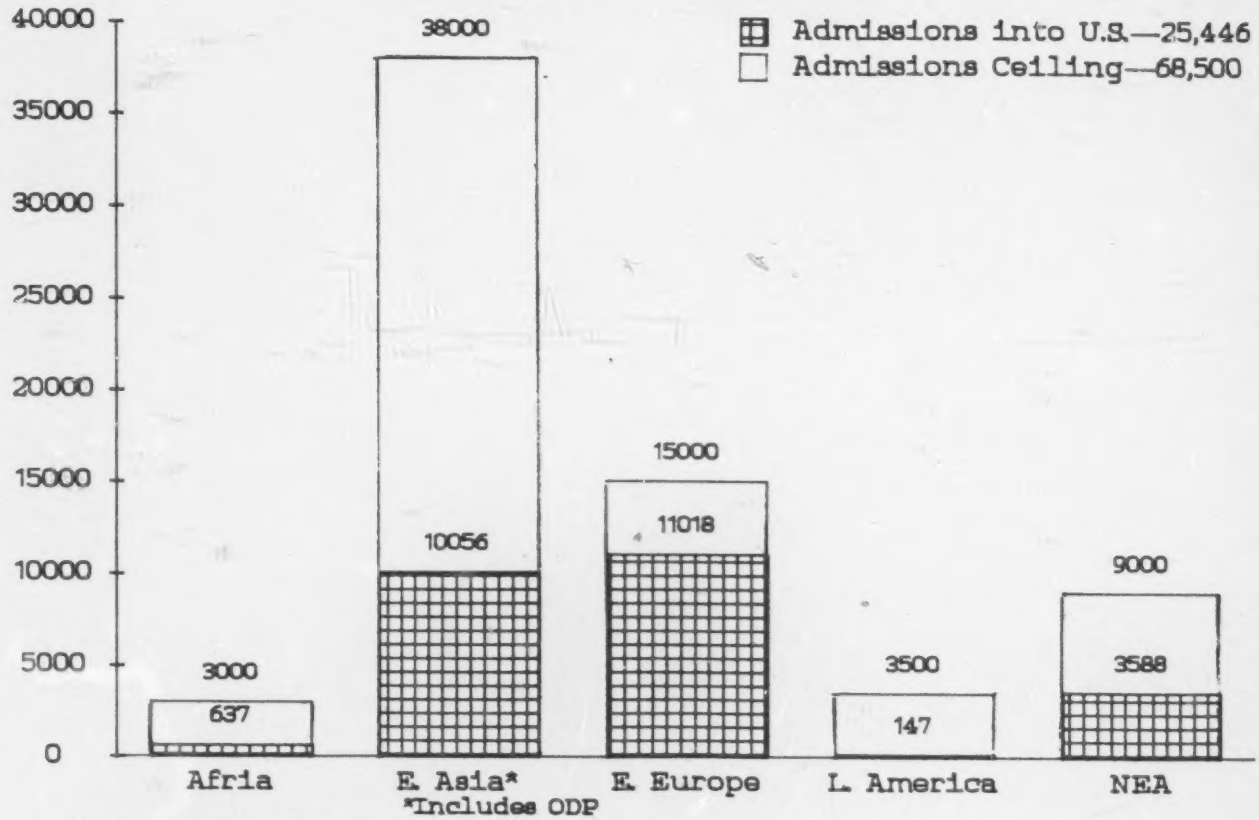
Winter said, "The point of advocacy is to change outcomes. In that context, we are pleased that the Administration is responding--finally--and filling the regional ceilings, but its wisdom in managing the system this way should be seriously questioned."

Latin American Refugee Processing Lags The region lagging the furthest behind its ceiling is Latin America/Caribbean. "The State Department tells us that there are plenty of cases in the pipeline to utilize the numbers, but that the problem is obtaining exit permits from Cuba," said Bob Wright, assistant director for operations of Migration and Refugee Services/U.S. Catholic Conference.

SUMMARY OF REFUGEE ADMISSIONS

Fiscal Year 1988

As of March 31, 1988



Source: State Department/Bureau for Refugee Programs

With 147 refugees admitted (97 from Cuba; 50 from Nicaragua) in the first half of the year, and 980 places authorized for the third quarter, the U.S. would have to admit 2,373 in the last quarter, in order to meet the regional ceiling.

"Castro was concerned about having large numbers of refugees come at once" because of the negative public relations image it causes Cuba, said Wright. "Having 200 Cubans a week landing in Miami would be a large flow," he said. "It looks shaky to me."

Nevertheless, State Department sources maintain that refugees are being processed out of Cuba at a good pace right now. "We are delighted," said one State Department source. "We are getting out the people we want, such as the 'plantados' [long-term political prisoners]."

Africa Regional Ceiling Unlikely To Be Met

In Africa, the major stumbling block for processing Ethiopian refugees (598 of the 637 refugees processed for the entire region this year) appears to be the Sudanese government, which has established a committee to examine each U.S.-approved refugee applicant.

Ethiopian refugees who have been approved by the United States and are ready to travel have to pass through the hurdles of being approved for departure by the Sudanese Screening Committee and having their exit visas separately approved by the Ministry of Interior.

There are apparently a number of African refugees in Europe who have been approved by the INS for admission to the United States, but who have not been authorized to move by the State Department.

"My gut feeling is that the State Department won't spend numbers on these people this fiscal year," said Williams of Church World Service. "They are not a high priority, although they have already been INS-approved."

State Department sources have indicated a certain reluctance to admit newer African refugee arrivals in Europe for fear of contributing to a "pull factor."

Southeast Asian Admissions Likely to Fall Short of Ceiling At the June 10 hearing, Ambassador Moore said that he anticipated that the U.S. would admit 28,000 first-asylum refugees from Southeast Asia, which is closer to the ceiling than either the private sector or the Administration had earlier thought, but still 1,500 short of the first-asylum ceiling. And a shortfall of at least 1,000 places is now expected in the Orderly Departure Program for Southeast Asia.

Refugee admissions for the region can be anticipated, in part, through analyzing those currently in the Refugee Processing Center pipeline. A total of 22,378 Southeast Asians are scheduled to finish their English-as-a-second-language/cultural orientation programs by the end of the fiscal year, although about 10 percent of this number are likely to be held up for medical and other reasons. Other "direct departures" will be admitted to the United States without ESL/CO training. The State Department has authorized 919 direct departures for the third quarter.

Allocations Slow-Down Causes Backlogs of Approved Afghan and Iranian Refugees In the Near East/South Asia region, 3,588 refugees were admitted in the first half of the year, out of a ceiling of 9,000. Another 795 have been authorized for admission in the third quarter. This means that the United States will have to admit more than 1,500 per month in the last quarter, if it intends to meet the regional ceiling.

For several months running, the Joint Voluntary Agency (JVA) in Pakistan, the International Catholic Migration Commission (ICMC), which is responsible for preparing many of the refugee applications for INS interviews for this region, warned of an impending backlog of Afghan refugees approved and ready for U.S. resettlement. State Department allocations for admissions numbers were well below what the JVA said it had planned for. At the end of March, the JVA in Pakistan reported that "unless additional numbers are allocated, a backlog of travel-ready Afghan applicants will result and INS adjudications of Afghan applicants will be sharply curtailed for the remainder of the fiscal year."

The JVA said that both the Ambassador and Refugee Counselor had made separate requests to the State Department for additional numbers, but that the prospect of obtaining additional Afghan admission spaces "does not appear promising."

At the end of April, the JVA in Pakistan reported that they had a total of 1,039 INS-approved Afghan applicants, but that the State Department had only allocated 256 Afghan admissions places for the third quarter of the year. "Unless there is a substantial improvement in the allocation of Afghan admission numbers for the third and fourth quarters, the Refugee Counselor has instructed the JVA to sharply curtail the presentation of Afghan applicants to INS for the remainder of the fiscal year," the JVA reported.

An informed private agency source said that Afghan applicants are currently waiting for more than a year for their JVA prescreening interviews. According to this source, the intake of Afghan refugee applicants in Pakistan has been slowed down in order to avoid a backlog of refugees approved for admission.

Backlogs of INS-approved Iranian refugees in Europe are also noteworthy. Some 2,450 Iranians are awaiting processing in Frankfurt, of whom more than 80 percent are estimated to be Armenians. Of this number, 2,145 have already been approved by the INS, and are awaiting departure.

In Vienna, 1,532 Iranians are in the pipeline, the overwhelming majority of whom are Jewish. Of this number, 1,046 have been INS approved. Another 372 Iranians--mostly Jewish--are in the pipeline in Athens.

The total of Iranians currently in the processing pipeline worldwide is 5,745, of whom 4,247 have been approved by the INS, and are waiting for State Department authorization to move.

"No amount of persecution is acceptable," said Eugene Sander of Rav Tov, "but there are degrees of persecution, and these

Iranians are really being persecuted because of their beliefs."

"While our embassies overseas have given the full approval for the refugees to immigrate," said Rabbi Uri Mayerfield, director of Rav Tov in Los Angeles, "the U.S. State Department is not sending enough refugee visas for Iranian Jews."

Outside Europe, the problem for Iranians has not been as acute, although the numbers processed out of Pakistan are smaller as well. Sources close to Pakistan processing say that backlogs of approved Iranians are not developing there and that they are "moving at a pretty good pace."

Although most of the Iranians processed out of Rome and Vienna are Jews and most out of Frankfurt are Armenians, those processed out of Pakistan are mostly Baha'is, according to voluntary agency sources. In fact, in calendar years 1987 and 1988, through the end of May, the ethnic/religious breakdown of Iranian refugees processed through Pakistan was:

502 Baha'i
134 Armenian Christian
9 Zoroastrian
22 Other (principally Muslim)

Unlike most other groups, the numbers of Iranians processed in the first quarter were relatively high (1,589), but then dropped almost in half to 885 in the second quarter, followed by another precipitous drop in the third quarter with only 325 numbers allocated.

A source at the State Department said that processing large numbers of Afghan and Iranian refugees out of the Near East/South Asia region at the end of the year will not present a major problem since they can move directly, as opposed to the more lengthy processing pipeline for refugees out of Southeast Asia.

Another knowledgeable source said, however, that it would be hard to imagine how the Intergovernmental Committee on Migration (ICM), which arranges refugee transportation, would be able to find enough seats on planes to accommodate the anticipated flow.

Soviet Armenian Influx Continuing Projections from the State Department indicate that the new regional ceiling for the USSR/Eastern Europe of 30,000 should include an annual total of about 8,000 Soviet Jews and about 10,000 East Europeans, and 11-12,000 Soviet Armenians. As of mid-year, 5,188 Armenians had been admitted. This would mean that upwards of 1,000 Armenians per month would need to be admitted during the second half of the year in order to meet this goal. (See related Recent Development for an assessment of some of the factors that may affect Armenian admissions to the United States.)

Sporadic Admissions Have Impact on Resettlement Based on experiences of end-of-the-year crunches in previous years and the especially low rate of refugee processing earlier this year, resettlement workers are looking ahead grimly to the end of FY 88.

"It's going to be just horrid," said Gerald Brown, director of refugee services for the American Council for Nationalities Service (ACNS). He said that the last four days of September would be particularly bad.

"Bringing all these folks at once compounds the problems," he said. "On paper we get the basic services done, but we don't have time to spend to give resettlement the quality it should have."

Wright of MRS/USCC said that the massive push in the last days of September is a consequence of language that needs to be corrected in the Refugee Act. "Before the Refugee Act, we didn't have this problem," he said. "Refugees were moved with conditional entry documents that allowed them to enter after the end of the fiscal year, so there wasn't so much bunching up."

"Making everyone enter before October 1 doesn't make for the world's best resettlement," he said.

Certain local communities are expected to be especially hard hit with new arrivals at the end of the year. Refugee Reports talked to local resettlement figures in Minnesota and Fresno County, California, where large numbers of Hmong refugees from Laos are expected during the last quarter of FY 88.

Ernest Velasquez, the Fresno County refugee coordinator and assistant director for Fresno County Department of Social Services, said, "It strains our system. Months go by with nothing happening, then a big group hits."

Velasquez said the end of the year flow creates particular difficulties in job

placement, housing, and education. Funding for the school system, for example, has a built in lag time of six-to-nine months based on computing average daily attendance. When a large group of new students in need of special services such as ESL and bilingual instruction enters the school system in October, it throws off planning for the entire year.

A local resettlement worker in Fresno told Refugee Reports that about 500 Hmong children arrived at the beginning of the last school year, "enough for a whole school."

Rev. Joan Hill Dehzad, sponsoring consultant for Refugee and Immigration Services, Lutheran Social Services of Minnesota, said that receiving more than half of their caseload in the summer months creates particular problems for the Lutheran network of church sponsors. "It is very difficult for the churches to receive them during the summer," she said.

Resettlement workers throughout the country worry that bringing large numbers of people in at one time creates a negative public reaction. "The media love to hear about these large numbers," said Velasquez. "Then the local folks on the street pick it up and it creates a problem for the refugees."

Brown warned that the program is "catching flak from county social service people who used to be supportive of refugee resettlement" because of strains created by the end of the year crunch.

"It is inconceivable with all the planners in the State Department that this happens every year," said Hill Dehzad. "And every year it creates chaos."

The editorial office of Refugee Reports and the U.S. Committee for Refugees is moving to:

1025 Vermont Avenue, NW
Suite 920
Washington, DC 20005
Tel: (202) 347-3507
Fax: (202) 347-3418

Printing and distribution of Refugee Reports will still be performed in Nashville, Tennessee.

Recent Developments

HONG KONG BEGINS SCREENING VIETNAMESE REFUGEES AS INTERNATIONAL SEARCH FOR SOLUTIONS INTENSIFIES

Amidst a flurry of international meetings, discussions, and debate on the deepening asylum crisis for Vietnamese boat refugees in Southeast Asia, the Hong Kong government announced on June 15 that newly arriving Vietnamese would have to prove their refugee status to immigration officials or face detention as illegal aliens until they could be returned to Vietnam.

"We in Hong Kong are faced with an impossible situation," said Rita Fan, a member of the British colony's Legislative Council, in a speech at an international conference held in Washington, D.C. in early June. "Our existing policy of conferring refugee status on all Vietnamese boat people means in effect an open-ended commitment, and indeed an invitation, to all Vietnamese who might be considering leaving Vietnam by boat. We cannot allow the open-door policy to continue."

The conference, which drew more than 300 participants from 33 states and 14 countries, was organized by the Indochina Resource Action Center (IRAC), an advocacy organization working on behalf of the Cambodian, Laotian, and Vietnamese communities in the United States. "We wanted the input from Indochinese-Americans, who are former refugees, to define relevant courses of action in response to the problems facing first-asylum countries," said Le Xuan Khoa, president of IRAC.

An upsurge in Vietnamese boat arrivals in Southeast Asia, coupled with diminishing opportunities for resettlement in the West, has prompted the countries of asylum to initiate restrictive new policies to stem the continued influx.

In January, Thailand began to push back Vietnamese boats along the eastern and southern coastlines. A report from the UN High Commissioner for Refugees (UNHCR) stated that as many as 170 people may have died as a result of the Thai interdiction policy. On April 20, Thailand signed a memorandum of understanding with UNHCR

agreeing that new arrivals would not be pushed back, but instead would be transferred to Site 2, a refugee camp on the Thai-Cambodian border, where they would be denied access to resettlement. Sources report, however, that Thai marine police in the south continue to redirect at least some Vietnamese boats toward Malaysia.

Indonesia has also been redirecting boats toward Malaysia for at least one year, according to refugee program sources, with the first known death occurring on April 24, when Indonesian soldiers killed one Vietnamese and wounded another in an effort to drive a boatload of 125 asylum seekers back to sea. The boat landed at the Malaysian refugee camp of Pulau Bidong four days later, but Malaysian officials have announced that the camp will be closed by April of next year.

"The Malaysians have really backed themselves into a corner" with this announcement, a relief official told Refugee Reports. The other Malaysian camp, Sungei Besi, has already reached its peak capacity of 3,000, the official said, and "there is no way" that resettlement will empty Pulau Bidong of its 11,000 people within one year.

In May alone, 2,000 Vietnamese arrived in Malaysia, and the official said that pushbacks could begin in July if arrival rates stayed up. "The Vietnamese clearly have a mentality that 'now is the time to go,'" he said.

Hong Kong Screening is First for Vietnamese Vietnamese arrival rates are high throughout the region, but nowhere higher than in Hong Kong, according to Fan. More than 5,000 Vietnamese boat people reached Hong Kong in the first five months of 1988, eleven times the rate for the same period last year. More than 1,000 Vietnamese came in the first week of June, Fan said. The camp population stands at 14,000, the highest it has been since 1981, and if current arrival rates persist, Fan predicted that the number will exceed 20,000 within three months.

Hong Kong's camps are desperately overcrowded, local relief workers say. On May 1, a 20-year-old woman was stabbed to death by her husband in a hut shared by more than 200 people in Chi Ma Wan camp. One refugee blamed the murder on the overcrowded conditions. "It's not the man, it's the camp," the refugee told a volunteer worker.

"A way has to be found," said Fan, "that will deter Vietnamese who are not refugees, as defined by the UNHCR definition, from coming to Hong Kong, but which will also allow the genuine refugees to be resettled." The way, the Hong Kong government hopes, is screening. Effective as of midnight on June 16, arriving refugees will be given the choice of turning back or accepting detention in Hei Ling Chau camp, perched on a rocky outer island. Eventually, they will be screened by immigration officials. Those who can establish a "well-founded fear of persecution" will be moved in with the current refugee population, where they will be able to apply for resettlement elsewhere.

Those who are screened out, and this may be up to 90 percent of the new arrivals, Hong Kong officials told The New York Times, will stay in detention until Vietnam agrees to take them back. Vietnamese officials previously have rejected the idea of taking back any of the boat people, although Deputy Foreign Minister Ha Van Lau said that "the proposal is being considered," following a UNHCR-sponsored meeting in Geneva in early June.

On June 16, Hong Kong authorities detained a wooden fishing boat carrying 33 Vietnamese, the first group to encounter the new restrictions. The message to the Vietnamese is "Do not come here," said Geoffrey Barnes, Hong Kong Secretary for Security.

On behalf of the conference's Indochinese-American participants, IRAC sent a cable to British Prime Minister Margaret Thatcher, saying that, "We are deeply distressed at the change of policy," and reminded her of Britain's commitment at a UN-sponsored international conference in 1979 "to grant all arriving Vietnamese first-asylum pending resettlement." Any screening process that is established, the cable stated, "must be set up under the auspices of UNHCR," and "assurances of humanitarian treatment upon repatriation must be obtained from the Vietnamese government."

Strengthened protection for asylum seekers, multi-year commitments to resettlement, and continued international burden-sharing were also needed to prevent the asylum crisis in Southeast Asia from deteriorating further, according to recommenda-

tions made at the IRAC conference.

First-Asylum Nations also Meet, Call for "Immediate Action" One week before the IRAC conference, representatives from seven Southeast Asian Countries--Malaysia, Thailand, Brunei, Indonesia, Hong Kong, the Philippines, and Singapore--met in Cha-Am, Thailand to discuss the continuing refugee crisis from their perspective as nations of first-asylum. In a brief summary of the discussions published after the seminar, which was sponsored by the Ford Foundation, the delegates stated that "immediate action is required by the international community to respond with a greater sense of urgency to what amounts to the gravest Indochinese refugee crisis since 1979."

The delegates agreed that "discouraging future outflows of nonrefugees is of fundamental importance" and called for establishment of region-wide screening procedures along with a central UNHCR holding center somewhere in the region to house the screened-out cases and others awaiting a long-term solution to their case. "A commitment should be sought from Vietnam on a moratorium on organized illegal departure," the summary said, "as well as to abide by the obligation to accept the return of its own citizens." Screening and voluntary repatriation should be accompanied by an expansion of the Orderly Departure Program (ODP), the delegates suggested.

A continuing commitment to resettlement on the part of the international community is a "crucial element" in maintaining first-asylum for Vietnamese boat people in Southeast Asia, the Cha-Am summary also noted, and urged the international community to provide "more predictable and multi-year resettlement guarantees." The number of countries offering resettlement should be expanded, the delegates agreed, with priority given to "long-stayers," usually defined as refugees who have spent two or more years in camps.

"Resettlement by itself cannot resolve this problem," the summary warned, "and may, in some circumstances, compound the problem by encouraging nonrefugees to leave.... Existing arrangements that hold out the prospect of automatic resettlement for all who leave Vietnam is a major pull factor."

U.S. Seeks "Comprehensive Approach" to the Crisis, Says Top Refugee Official The United States "must examine new policy combinations and directions to prevent more tragedies from occurring and to sustain first asylum throughout the region," said Ambassador Jonathan Moore, coordinator for refugee affairs, in a speech on the first day of the IRAC conference. The basic course that the United States is pursuing, Moore said, is "to discourage clandestine departures from Vietnam and to maintain resettlement" in order to keep camp populations at "tolerable levels." New policies of "humane deterrence" that needed to be considered, he said, were the establishment of screening programs, the temporary suspension of resettlement for new arrivals, and "the assurance that persons granted first asylum would enjoy no greater resettlement advantage than those seeking resettlement through the established orderly departure program."

Under current U.S. guidelines for ODP, which has brought more than 65,000 Vietnamese refugees and immigrants directly to the United States since 1980, only those in the first three processing priorities are eligible for resettlement, along with immigrants, and those of special interest to the United States, such as Amerasians and former reeducation camp prisoners. Resettlement priorities P-1 through P-3 include people with immediate family in the United States and former employees of the U.S. government.

Any screening programs that are established, Moore said, "should come under appropriate international safeguards, including UNHCR monitoring." Those who are screened out should be placed in "decent long-term holding facilities under UNHCR supervision," he said.

Moore acknowledged that resettlement "in and of itself can encourage larger refugee flows," but insisted that it still is an "essential component" of U.S. refugee policy in Southeast Asia. He said that the United States would admit 28,000 Indochinese from first-asylum countries in FY 88, out of a regional ceiling of 29,500. He blamed the shortfall partly on the fact that Thailand has been "reluctant...because of their concern about a magnet effect" to allow the United States to interview P-6 cases, those without U.S. ties, for resettlement. The administration has proposed to reduce the

SEMINAR ON FIRST ASYLUM FOR VIETNAMESE BOAT PEOPLE
SPONSORED BY THE FORD FOUNDATION
Cha-Am, Thailand--May 25-28, 1988
Summary of Discussions

1. The seminar took note of the critical situation caused by the increasing exodus of boat people from Vietnam. If this exodus continues unabated, it will create unacceptable political, security, economic and social problems for the countries of first refuge. Immediate action is required by the international community to respond with a greater sense of urgency to what amounts to the gravest Indochinese refugee crisis since 1979.

2. Greater emphasis should be placed on the role of Vietnam as the root cause of the problem and on how to solve it at its source. Vietnam has an obligation both to its own people and to the international community to resolve the problem.

3. In order to resolve the Vietnamese boat people problem satisfactorily, there is a need for greater efforts and closer cooperative endeavors among all concerned: the country of origin, the countries of first refuge, the resettlement countries, the major donor countries, the international organizations, and the nongovernmental organizations concerned with the problem.

4. Discouraging future outflows of nonrefugees is of fundamental importance. Pressure must be exerted by all concerned on Vietnam to recognize the humanitarian consequences of the outflow, the negative image created for Vietnam, and the adverse impact on relations with other countries in the region.

5. There has been a shift in the motivations of persons who are now leaving Vietnam. Although some still flee for political reasons, economic motives are playing an increasingly larger role. Family reunification is also a factor. The dramatic increase in the number of arrivals has created critical conditions in a number of regional countries.

6. The continuing commitment of the international community on resettlement is the crucial element in the maintenance of first asylum for Vietnamese boat people. But third-country resettlement by itself cannot resolve this problem, and may, in some circumstances, compound the problem by encouraging nonrefugees to leave their country of origin. Existing arrangements that hold out the prospect of automatic resettlement for all who leave Vietnam are a major pull factor.

Elements in a new comprehensive program of action need to be developed, drawing upon the following ideas:

7. Countries of first refuge need more predictable and multi-year resettlement guarantees. The range of third-countries of resettlement should be expanded. UNHCR should explore the possibility of fixed long-term annual quotas to be assigned to specific resettlement countries.

8. A concrete, predictable and multi-year program for resettlement of the residual Vietnamese refugee population in the countries of first refuge should be established as soon as possible. Priority should be accorded to the processing of long-stayer refugee cases. Provision should also be made for accelerated resettlement to cope with any unexpected upsurge in new arrivals.

9. Mechanisms should be developed to determine the claims of new arrivals to refugee status on a regional basis. Those determined not to be bonafide refugees should be repatriated to Vietnam in accordance with international law and established UNHCR procedures. UNHCR is urged to negotiate an arrangement with Vietnam to take back nonrefugees. Those who are determined to be refugees should be promptly resettled in a third country.

10. A central regional UNHCR holding center should be established once a site is agreed upon.

11. The Orderly Departure Program for Vietnamese should be expanded and be made to encompass migrants, in addition to the present family reunion and special humanitarian concern cases. This should become the primary mode of departure and eventually the sole avenue for resettlement.

12. A commitment should be sought from Vietnam on a moratorium on organized illegal departures, as well as to abide by the obligation to accept the return of its own citizens. Concerted demarches should be made by all governments concerned on Vietnam in this regard. Concerted pressure should also be applied on Vietnam to cooperate with the international community in the search for durable solutions.

13. In view of the dismal record of Vietnam, the UNHCR and the international community should exert greater effort to actively negotiate voluntary repatriation arrangements with Vietnam. In this regard, UNHCR should quickly identify potential candidates for voluntary repatriation.

14. Another international conference on Indochinese refugees under UN auspices is desirable in light of the changed circumstances since the 1979 Geneva Conference, and consequently the need for new approaches.

FY 89 Indochinese resettlement ceiling for first asylum countries to 23,000.

Sen. Hatfield Supports Multi-Year Resettlement Commitment, Dialogue with Vietnam In a speech at the IRAC conference, Sen. Mark Hatfield (R-Ore.) reminded participants that last fall, the Senate had passed by a two-thirds majority a resolution calling for a three-year commitment to a Southeast Asian resettlement ceiling of 28,000. He promised to work to establish and maintain such a commitment.

Hatfield also said it was time for the United States to "accelerate dialogue with Vietnam" and expressed support for a resolution pending before the Senate to establish "technical offices" to further discussions on a variety of humanitarian issues, including prisoners of war and missing-in-action (POW/MIAs) and resettlement of former political prisoners.

Hatfield has also introduced a Senate resolution calling on the President to "address the food shortages in Vietnam by exercising powers statutorily authorized for such disaster situations" in the Foreign Assistance Act of 1961. Up to 7 million Vietnamese may be facing severe food shortages, as UN officials say that a 1.5 million ton food deficit can be expected this year, due to droughts, typhoons, and insects.

"Our U.S. foreign policy is isolating Vietnam with marginal results," Hatfield said. He acknowledged that pressure must be maintained to force Vietnam to withdraw its more than 100,000 troops from Cambodia, and as part of that process, the United States should lead a "diplomatic, political, and economic campaign to dismantle the Khmer Rouge," whose 50,000 Chinese-backed forces reportedly are gathering strength for a return to power in Cambodia as soon as the Vietnamese leave.

Both the ongoing refugee crisis and the Cambodia question are likely to be high priority topics when the foreign ministers of the six-nation Association of Southeast Asian Nations (ASEAN) meet with Secretary of State George P. Shultz in Bangkok in early July. Two developments have raised hopes that a political settlement on Cambodia is possible within one or two years. First, Vietnam announced last month that it will withdraw 50,000 of its 120,000 troops from Cambodia by the end of 1987. Second, according to a report in the Washington Post, China has indicated that it is willing to offer asylum to Khmer Rouge leader Pol Pot and his top aides, so as to remove them from any active role in Cambodia's political future. During their rule from 1975 to 1978, the Khmer Rouge were responsible for the deaths of at least one million Cambodians.

CONTROVERSY ERUPTS OVER ARMENIAN REFUGEE ADMISSIONS

Armenians from the Soviet Union have been improperly admitted to the United States as refugees, according to a front-page story in the Sunday New York Times on May 29, and an editorial in the same paper's June 6 edition.

Based on a leaked confidential summary of a meeting between State and Justice Department officials, the Times story said that State Department lawyers have concluded that "the United States improperly accepted thousands of Armenians as refugees without finding that they have been persecuted in the Soviet Union."

The leaked document noted that Ralph Thomas, a deputy assistant commissioner of the Immigration and Naturalization Service (INS), "conceded that INS is not doing individual refugee determinations for the Armenians and that the Armenians do not generally share the characteristics of other groups admitted as refugees."

The document went on to say that Jeff Trecartin, an INS examiner, "verified that in hundreds of interviews with Soviet Armenians in Rome he had not encountered a single individual claiming to have left the Soviet Union on account of persecution or fear of persecution."

The Refugee Act of 1980 defines refugees eligible for admission to the United States as persons with "a well-founded fear of persecution."

INS and State Department Close-Lipped Sources at both the State Department and INS were reluctant to comment directly on the New York Times story. Government sources did say, however, that the issue has been the subject of "intense debate" internally.

Sources at both State and INS said that it was inaccurate to say that the INS was not making case-by-case determinations of refugee status. A State Department source defended INS interviewing of Armenians by saying, "If they didn't do case-by-case determinations, INS officers would be going to jail."

An INS source explained that the United States puts itself into a difficult position when it takes people directly out of their home countries and then conducts refugee eligibility interviews in third countries "of convenience." The source said that U.S. agreements with those third countries assume that we will move them out, so the pressure is put on the INS examiner to find the person eligible.

"It is unfortunate that Armenians were singled out," said the INS source. He said the problem was "generic" and was similar to problems with processing Vietnamese through the Orderly Departure Program out of Bangkok or with the processing of Polish political prisoners out of West Germany several years ago.

Government sources at both INS and State also spoke of the lack of mechanisms for bringing in masses of people of humanitarian concern to the United States who might not meet the persecution standard of the Refugee Act.

"If Glasnost holds up," said one government source, "we will need to open a regular immigration channel, but we don't have that now."

Criticisms Follow Administration Request for Additional Numbers of Armenian Refugees

On April 6, Ambassador Jonathan Moore, the U.S. Coordinator for Refugees, reported to Congress the President's proposal to raise the FY 88 refugee admissions ceiling based on "an unforeseen refugee emergency" requiring an additional 15,000 places for refugees from the Soviet Union and Eastern Europe.

The Coordinator's report said that 12,000 of the additional numbers would be used for Soviet Armenians, 2,000 for Soviet Jews, and 1,000 for Eastern Europeans.

It reported that "almost all Armenians who have been permitted to emigrate are from families who fled from the Middle East after World War II, or from Iran after the fall of the Shah." At the same time, the report noted that about 90 percent of Armenian refugees resettled in the United States are joining family members in southern California.

It said that Soviet Armenians are screened in Moscow by U.S. consular officers before being moved to Rome, where they are interviewed by the INS, and, "if qualified, approved for admission to the United States as refugees."

The Administration report said that Soviet exit permits are issued on an unpredictable basis and are only valid for six months, and concluded that "our failure to take these refugees promptly would preclude their departing from the Soviet Union."

Critics Charge Violation of Refugee Act

The New York Times editorial focused on whether Armenians meet the "well-founded fear of persecution" definition of the Refugee Act. It said, "It is only fair to require that each Armenian applicant demonstrate a fear of persecution. Other potential refugees, like those from El Salvador or Indochina, are carefully scrutinized, often after waiting months to be processed."

While noting that "many Armenians now leaving the Soviet Union may perfectly well qualify for refugee status," the editorial went on to say, "those who merely seek a better standard of living should be made to qualify under existing immigration standards."

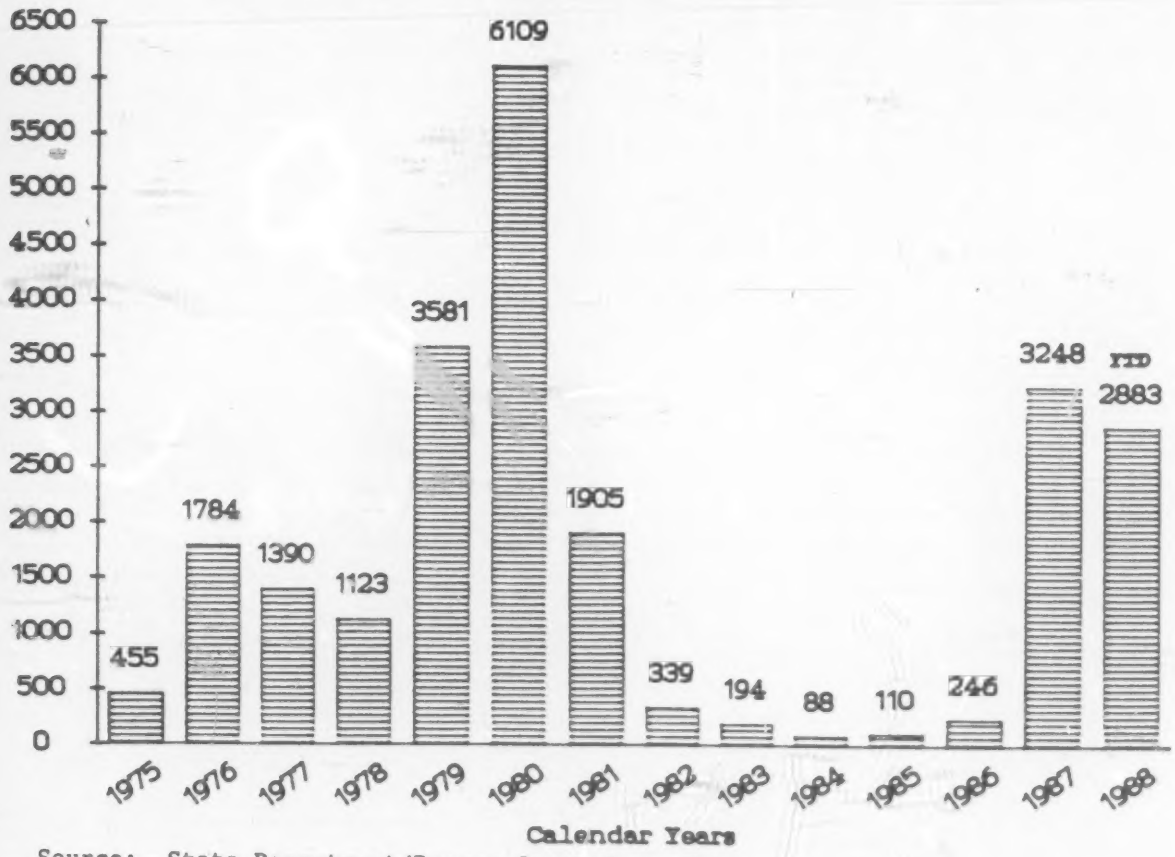
Robert DeVecchi, executive director of the International Rescue Committee, told Refugee Reports that an understanding of the Armenian situation has to take into account a larger historical, sociological, and political context, such as promises made--and broken--by Stalin to survivors of the Turkish genocide.

"If the U.S. government determines them to be refugees," said DeVecchi, "that's fine with me." He added, "My personal hope is that the United States would be as understanding of the plight of refugees elsewhere as they are of Armenians."

Writing in the Los Angeles Times, Doris Meissner, senior associate of the Carnegie Endowment for International Peace, explained, "Before 1980 our laws defined a refugee as someone leaving a communist country or the Middle East. Thus Soviet citizens were automatically eligible."

Now, however, with ideological and geo-

Armenian Immigration to the U.S.
From the Soviet Union



Source: State Department/Bureau for Refugee Programs

graphical determinations struck from the legal definition, each individual must demonstrate a well-founded fear. "There is scant evidence," Meissner wrote, "that these Armenians, as a group or individually, are in a more beleaguered position than are other Soviet citizens."

Meissner suggested that admitting Armenian immigrants under the refugee program "cut[s] into a shrinking bank account that has put the nation's refugee program into a state of severe fiscal crisis."

Meissner suggested as a solution to the problem that Congress establish a category of "humanitarian immigrants" whose admission would be contingent upon a presidential finding that immigration for a designated group is in the national interest for humanitarian reasons.

Armenian Community Troubled Ambivalence concerning the issue appears to be running throughout the Armenian community.

Refugee Reports interviewed Armenian community leaders several months ago (see Refugee Reports, Vol. IX, No. 3) and found many to echo the sentiments of Harut Sassounian, editor of the California Courier, an English-language weekly for the Armenian community, that "when Armenians on any part of our historical homeland leave Armenia, they go against the struggle, against our goals." At the same time, Sassounian, and the other Armenian leaders consistently said that they bore no animosity towards the new arrivals and would do what they could to help them make the adjustment to American life.

The New York Times revelations have touched off concern within the Armenian community in the United States that they could become identified with the failure of

a blanket admissions policy for which they had never advocated. The Armenian Assembly of America termed as "necessary" the current Congressional and Administration reviews of the present application of the Refugee Act.

"We support the designation 'refugee' only for those individuals who can satisfy the requirement to demonstrate a 'well-founded fear of persecution,'" said Ross Vartian, executive director of the Armenian Assembly. "The U.S. government's assessment of Soviet Armenians' status as refugees as reported in the New York Times speaks for itself."

Vartian then cited the thousands of Armenian refugees from the Middle East in first asylum and awaiting processing in Western Europe and the Near East, who have been overlooked during the recent focus on Soviet refugee policy.

Congress Will Look More Closely at Armenian Refugee Processing The question of Armenian admissions as refugees promises to be a topic of discussion at the next round of consultations between Congress and the Administration on refugee admissions. Sen. Alan K. Simpson, ranking minority member of the Senate Subcommittee on Immigration and Refugee Affairs, told the New York Times, "We ought to stop this gimmickry of the word 'refugee'" and that "we must distinguish between the right to leave the Soviet Union and the right to enter the United States."

Sen. Edward M. Kennedy, chairman of the refugee subcommittee, in responding to the President's request for 15,000 additional refugee admissions numbers, said, "There are some very important new foreign policy issues involved in this request for 15,000 additional refugee numbers, which are largely earmarked for an entirely new refugee group in our program--Armenians from the Soviet Union. The development of this new flow--its causes and dimensions--must be given a thorough airing if our refugee program is to receive the support it deserves, and if they are bona fide refugees."

CANADIAN REFUGEE DETERMINATION BOARD SUBJECTED TO PRESSURE FROM FOREIGN MINISTRY

Evidence has come to light recently that the Canadian Foreign Ministry intruded into decisions taken by that country's refugee determination board, suggesting that the independence and integrity of the asylum process has been compromised by foreign policy considerations.

Refugee advocates have long contended that the government bodies that determine a person's refugee status must operate independently of the foreign policy or immigration arms of government. While foreign policy biases are often alleged, actual interventions to reverse a determination of refugee status are rarely documented or proven.

However, on May 16, the Toronto Globe and Mail revealed that External Affairs Minister Joe Clark had intervened to reverse the unanimous determination of a panel of Canada's Refugee Status Advisory Committee that a Sikh, Santokh Singh Bagga, was a refugee according to the UN definition.

In two letters marked secret, but leaked to the Globe and Mail, Clark told the Immigration Minister that the refugee board's determination would harm Canadian relations with India. He said he found it "most disconcerting to learn that a number of Indian Sikhs were recently recognized as refugees" and said that the "Indian authorities have made strong and repeated representations for his [Santokh Singh's] return to India."

The Foreign Minister persuaded the Immigration Department to appoint its own special review committee, which reversed the refugee committee's decision, thereby denying asylum to Santokh Singh. On May 11, 1987, the executive director of immigration, James Bissett, sent a memo to Joe Stern, the chairman of the Refugee Status Advisory Committee, saying, "There is a recommendation that he [Santokh Singh] should be removed to India even in the event he satisfies the [United Nations] convention definition [of refugee] as found in the Immigration Act, 1976." Stern wrote back to say, "It is improper for an immigration official to attempt to influence the functioning of an administrative tribunal which is responsible for providing independent advice according to statutory criteria."

Update

° During May, more than 2,000 Vietnamese boat refugees were moved from beach shelters

in Thailand's eastern provinces of Trat and Chantaburi to a special facility built for them next to Site 2, a Cambodian camp housing 160,000 "displaced persons" on the Thai-Cambodian border. The number of Vietnamese boat people in the Site 2 annex is now over 3,100, a relief worker in the camp told Refugee Reports. Thai authorities have indicated that Vietnamese who arrived by boat in 1988 will not be allowed to seek resettlement overseas, at least temporarily.

° On May 1, the UN Border Relief Organization (UNBRO) cut off food aid to Huay Chan, a Khmer Rouge camp of about 9,000 people, according to the Bangkok Post. Earlier in the year, UNBRO officials had threatened to cut off aid to four Khmer Rouge border camps known to harbor guerrilla fighters unless they were given better access to monitor food distribution and other services. The communist leadership in Natrao, Borai, and Ta Luan reportedly complied, but Huay Chan authorities resisted.

"Huay Chan was not the only Khmer Rouge camp where [access] was a problem," said one source, "but it was the most flagrant in denying access. Their basic attitude was: 'You leave supplies at the gate of the camp and we'll distribute them.'"

The French-based relief organization, Operation Handicap Internationale, the only other relief agency working in Huay Chan, also withdrew.

° Austria has announced new restrictive policies with respect to East Europeans seeking refugee status, according to a May 6 Washington Post report. Interior Minister Karl Blecha announced that Poles and Hungarians will be subject to a screening process to determine whether they qualify as UN Convention-defined refugees. Those not granted refugee status will be asked to return home. Blecha did not specify how those refusing to leave would be returned, but he did say that rejected applicants would be denied food and housing.

Blecha told a news conference that after arriving in Vienna bus loads of Polish tourists proceed to the Traiskirchen refugee camp where they apply for asylum. The Post reported 13,500 refugees at present in Austrian refugee camps awaiting third-country resettlement.

So far this year, more than 1,000 Poles have applied for asylum in Austria, in contrast to 97 Polish asylum applicants in the first three months of 1987, according to the Post. More than 2,200 Hungarians have applied for asylum this year, Blecha told the press conference.

° On June 19, the Israeli cabinet took steps to ensure that Soviet Jews who use Israeli visas to exit the USSR will not "drop out" once they reach Vienna and opt to immigrate to the United States instead. Foreign Minister Shimon Peres proposed that Soviet Jews transit via Romania to avoid the Vienna stopover and that Israeli visas be issued in Bucharest rather than Moscow.

In May, only 110 of the 1,169 Jews who left the Soviet Union arrived in Israel--about 10 percent. Since the beginning of 1988, some 4,695 Jews have left the Soviet Union, of whom 862 have arrived in Israel, a drop-out rate of 81.64 percent, according to the June 1 Yedi'ot Aharonot in Tel Aviv.

° Sadruddin Aga Khan has been named as coordinator of UN economic and humanitarian programs to help implement the Afghanistan peace settlement. Although highly regarded by refugee agencies for his 12 years of experience as UN High Commissioner for Refugees, his selection has sparked intense criticism from some representatives of the Afghan refugees. According to refugee leaders in Pakistan, Sadruddin is the uncle of the Aga Khan, who heads the Ismali Muslim sect. The 200,000 Ismalis in northern Afghanistan have supported the Kabul regime, and their spiritual leader, Sayed Qayan, heads a local militia to resist the Afghan guerrillas, according to a June 9 report in the Far Eastern Economic Review.

The prince has issued a UN report on the refugee situation in Afghanistan and issued a call for $1.16 billion in international assistance for an 18-month, first phase emergency relief and rehabilitation program. The report calls for the implementation of the first phase "as rapidly as conditions permit." It will then be followed by a three-year plan at an estimated cost of $839.6 million.

The June 20 Washington Post also reported criticism from relief workers in Pakistan who charged that the call for $1.16 billion in international assistance was premature and ill-advised considering

the ongoing warfare in Afghanistan.

"How can they talk of $1.16 billion when the U.S. is having trouble disbursing $45 million in humanitarian aid inside the country?" one experienced international relief worker was quoted as asking.

° Some 20,000 Iraqi Kurdish refugees arrived in western Iran in March, and an additional 30,000 new arrivals were anticipated by the Iranian authorities, according to the UNHCR office in Tehran, as reported in Refugees magazine.

° Cuban President Fidel Castro has agreed to free most of the political prisoners in Cuba, according to Cardinal John J. O'Connor, following talks with Cuban officials. The New York Times reported, June 5, that 385 of the remaining 429 political prisoners would be released.

° More than 120 boat people from Nicaragua landed in Costa Rica on May 15 and requested political asylum, according to the May 17 Washington Post. It was the largest group of Nicaraguans seeking asylum in Costa Rica this year. The group reportedly commandeered a 100-foot Nicaraguan government boat.

° Amnesty International U.S.A. passed a resolution at its annual meeting in Atlanta on June 19 saying that the U.S. government appears to have a systematic bias in the setting of bonds, access to legal counsel, and applications for political asylum based on race, class, ethnic or national origin, or political belief of the asylum seeker. The resolution called on the Amnesty International board of directors to upgrade work with impartial refugee organizations and "to make representations to the U.S. government to eliminate these abuses."

° On April 25, the House of Representatives passed the Genocide Convention Implementation Act of 1987, which would complete the ratification of the UN Genocide Convention by making genocide a federal crime in the United States. The offense would be punishable "by imprisonment for not more than 20 years, a fine of not more than $1,000,000 or both."

The Senate version awaits a floor vote.

Resources

USCR VIDEOTAPE ON THAI PUSHBACKS AVAILABLE

The U.S. Committee for Refugees (USCR) has produced a 15-minute video on the Vietnamese boat pushbacks in Thailand and the ensuing asylum crisis in Southeast Asia. Footage was provided by a source in Thailand who asked to remain anonymous. Copies of the video are available for $30.00 from USCR, 1025 Vermont Ave., NW, Suite 920, Washington, DC 20005. (202) 347-3507.

AMNESTY INTERNATIONAL REPORTS ON VIOLENCE AGAINST MINORITIES IN BURMA

Ethnic minority groups fleeing Burma into Thailand have given detailed accounts of widespread extrajudicial executions, torture, and harsh treatment at the hands of Burmese soldiers, according to a report released in May by Amnesty International. Based on interviews with 70 Karen, Mon, and Kachin refugees, the report describes 60 cases of apparent unlawful killings, and 123 cases of torture or severe mistreatment.

In 1984, the Burmese government began a large-scale military campaign against ethnic insurgent forces, particularly the Karen National Liberation Army. As a result of the continued fighting and human rights abuse, more than 20,000 Karen have sought asylum in Thailand.

The report, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities, is available from Amnesty International Publications, 322 8th Avenue, New York, NY 10001. The cost is $5.00.

Reader Exchange

° The International Committee of the Red Cross (ICRC) is collaborating with the Thai Red Cross Society to assist Vietnamese families trying to trace recently arrived relatives in Thailand. Inquiries should be addressed to Dr. Tanit Vajrabukka, Thai Red Cross Society, Tracing and Mailing Service Center, Bangkok, Thailand.

ASYLUM CASES FILED WITH DISTRICT DIRECTORS
APPROVED AND DENIED, BY SELECTED NATIONALITIES
FIRST HALF OF FY 88 (OCTOBER 1987 - MARCH 1988)

Country	Approval Rate for Cases Decided	Cases Granted	Cases Denied	Cases Currently Pending
*TOTAL	51.3%	2,349	2,224	95,341
China	85.7%	24	4	106
Ethiopia	77.7%	210	60	332
Iran	77.5%	415	120	1,009
Romania	76.9%	120	36	274
Vietnam	75.0%	3	1	9
Nicaragua	74.9%	1,172	392	19,889
Somalia	71.4%	30	12	64
Syria	65.0%	13	7	65
Uganda	61.5%	8	5	18
Bangladesh	50.0%	1	1	7
Pakistan	48.1%	13	14	67
Afghanistan	44.0%	22	28	99
Czechoslovakia	40.0%	4	6	47
Poland	39.1%	150	233	968
Lebanon	36.5%	23	40	190
Cuba	25.8%	8	23	56,219
Philippines	22.2%	4	14	80
Liberia	22.2%	2	7	27
Hungary	22.0%	10	34	120
India	8.3%	1	11	32
Honduras	5.8%	2	32	327
Yugoslavia	4.3%	1	22	125
El Salvador	3.2%	29	865	11,705
Guatemala	2.7%	3	105	2,457
Egypt	0%	0	5	40
Haiti	0%	0	2	345

*The totals include all nationalities, not just those selected here.
Note: This chart is based on data for asylum cases filed with INS district directors only. Many applications for asylum are filed with immigration judges, particularly in the context of deportation proceedings. The Office of the Chief Immigration Judge is developing a data system, but asylum statistics are not now available.

Source: These statistics are calculated based on data provided by the Immigration and Naturalization Service.

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